IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH, JAIPUR

ORDER

S.B.CIVIL WRIT PETITION NO.3302/1998.

Smt.Radha Bai & Others. **VERSUS** B.O.R. & Others.

06.10.2006.

HON'BLE MR.JUSTICE DALIP SINGH

None present for the petitioners.
Mr.Alok Chaturvedi on behalf of
Mr.R.K.Agarwal, for the respondents.

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The writ petition arises out of the proceedings under Section 212 of the Rajasthan Tenancy Act.

I have gone through the orders passed by the learned trial court, learned Revenue Appellate Authority and the learned Board of Revenue.

This court on 09.07.1998 while issuing notice to the respondents had passed interim order which reads as under :-

> "Issue notices to the respondents to show cause as to why this petition be not admitted and disposed of at this stage. Rule is made returnable within two weeks.
>
> Notices of the stay application be issued in the same manner. In the meantime, order regarding dispossession of petitioners shall remain stayed but they will continue to deposit the amount of security, which they have been depositing as per the order of the Revenue Appellate Authority, Kota which shall be subject to the result of any proceedings including the suit which may be pending in regard to the suit land."

The aforesaid order has been in force during the pendency of the writ petition.

In the facts and circumstances, therefore, the interim order which had been passed safeguards the rights of both the parties, consequently, the same is made absolute. The parties shall abide by the aforesaid order. However, in case it is brought to the notice of the learned trial court that the petitioners have not complied with the directions contained regarding depositing of the security amount, the order dated 09.07.1998 shall stand vacated and the order passed by the learned Board of Revenue shall stand revived.

The writ petition as well as the stay application accordingly stand disposed of.

(DALIP SINGH),J.

Solanki DS, Jr.P.A.